

House Amendment 1283

PAG LIN

1 1 Amend Senate File 413, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 4, by inserting after line 22 the
1 4 following:
1 5 <Sec. _____. Section 724.7, Code 2007, is amended to
1 6 read as follows:
1 7 724.7 NONPROFESSIONAL PERMIT TO CARRY WEAPONS.
1 8 Any person who ~~can reasonably justify going armed may~~
~~1 9 be satisfies the requirements of section 724.8 shall~~
~~1 10 be issued a nonprofessional permit to carry weapons.~~
1 11 Such permits shall be on a form prescribed and
1 12 published by the commissioner of public safety, which
1 13 shall be readily distinguishable from the professional
1 14 permit, and shall identify the holder thereof, and
1 15 state the reason for the issuance of the permit, and
1 16 the limits of the authority granted by such permit.
1 17 All permits so issued shall be for a definite period
1 18 ~~as established by the issuing officer, but in no event~~
~~1 19 shall exceed a period of twelve months of three years.~~
1 20 The department shall adopt rules stipulating the
1 21 beginning and ending dates for the three-year
1 22 permitting periods.
1 23 Sec. _____. Section 724.9, Code 2007, is amended to
1 24 read as follows:
1 25 724.9 ~~FIREARM FIREARMS TRAINING PROGRAM PROGRAMS.~~
1 26 ~~A training program to qualify persons in the safe~~
~~1 27 use of firearms shall be provided by the issuing~~
~~1 28 officer of permits, as provided in section 724.11.~~
1 29 1. The commissioner of public safety shall
1 30 establish minimum standards for a training program
1 31 designed to qualify persons in the safe use of
1 32 firearms and shall include a course of instruction
1 33 designed to qualify a person on a firing range. The
1 34 program shall include a course of instruction with a
1 35 maximum of twelve hours. The course of instruction
1 36 shall include the following topics:
1 37 a. Firearms safety in the classroom, at home, on
1 38 the firing range, and while carrying the firearm.
1 39 b. A physical demonstration performed by the
1 40 applicant that demonstrates the applicant's ability to
1 41 safely load and unload a revolver and a semiautomatic
1 42 pistol and the applicant's marksmanship.
1 43 c. The basic principles of marksmanship.
1 44 d. The law relating to firearms pursuant to this
1 45 chapter.
1 46 e. The law relating to the justifiable use of
1 47 force pursuant to chapter 704.
1 48 f. A live fire test administered to the applicant
1 49 while in the presence of a qualified firearms safety
1 50 instructor as defined in section 724.9B of twenty
2 1 rounds from a standing position or its equivalent at a
2 2 distance from a B=27 silhouette target, or an
2 3 equivalent target, of seven yards.
2 4 2. The commissioner of public safety shall approve
2 5 the training program, and the county sheriff or the
2 6 commissioner of public safety conducting the training
2 7 program within their respective jurisdictions may
2 8 contract with a private organization or use the
2 9 services of other agencies, or may use a combination
2 10 of the two, to provide such a training program that
2 11 meets the minimum standards specified in subsection 1.
2 12 Any person eligible to be issued a permit to carry
2 13 weapons may enroll in such course. A fee sufficient
2 14 to cover the cost of the program may be charged to
2 15 each person attending. Certificates of completion, on
2 16 a form prescribed and published by the commissioner of
2 17 public safety, shall be issued by a qualified firearms
2 18 safety instructor subject to the restrictions of
2 19 section 724.9A to each person who successfully
2 20 completes the program. ~~No~~ A person shall ~~not~~ be
2 21 issued either a professional or nonprofessional permit
2 22 unless the person has received a certificate of
2 23 completion or is a certified peace officer. ~~No~~ A
2 24 peace officer or correctional officer, except a

certified peace officer, shall not go armed with a
pistol or revolver unless the officer has received a
certificate of completion, provided that this
requirement shall not apply to persons who are
~~employed in this state as peace officers on January 1,~~
~~1978 until July 1, 1978, or to peace officers of other~~
jurisdictions exercising their legal duties within
this state.

Sec. _____. NEW SECTION. 724.9A CERTIFICATE OF
COMPLETION.

A qualified firearms safety instructor shall not
issue a certificate of completion to an applicant for
a permit to carry weapons who does any of the
following:

1. Fails to demonstrate the requisite knowledge
and technique regarding the proper handling of a
firearm.

2. Handles a firearm in a manner that, in the
judgment of the qualified firearms safety instructor,
poses a danger to the applicant or others.

3. During the live fire testing portion of the
training program, fails to hit the silhouette portion
of the targets with at least eighteen rounds.

Sec. _____. NEW SECTION. 724.9B QUALIFIED FIREARMS
SAFETY INSTRUCTOR.

A firearms safety instructor shall be considered to
be a qualified firearms safety instructor if the
instructor has any of the following qualifications:

1. Is a valid firearms safety instructor certified
by the national rifle association holding a rating as
a personal protection instructor or pistol
marksmanship instructor.

2. Submits a photocopy of a certificate of
completion of a firearms safety instructor course
offered by a local, state, or federal governmental
agency and approved by the department of public
safety.

3. Submits a photocopy of a certificate of
completion of a firearms safety instructor course
approved by the department of public safety.

4. Has successfully completed a firearms safety
instructor course given by or under the supervision of
any state, county, municipal, or federal law
enforcement agency.

5. Is a certified police officer firearms safety
instructor.

6. Is a certified law enforcement academy firearms
safety instructor.

Sec. _____. Section 724.11, Code 2007, is amended to
read as follows:

724.11 ISSUANCE OF PERMIT TO CARRY WEAPONS.

1. Applications for permits to carry weapons shall
be made to the sheriff of the county in which the
applicant resides. Applications from persons who are
nonresidents of the state, or whose need to go armed
arises out of employment by the state, shall be made
to the commissioner of public safety. In either case,
the issuance of the permit shall be by and at the
discretion of the sheriff or commissioner, who shall,
before issuing the permit, determine that the
requirements of sections 724.6 to 724.10 have been
satisfied. However, the training program requirements
in section 724.9 ~~may~~ shall be waived for renewal
permits. If the sheriff or the commissioner restricts
or denies an application for a permit under this
section, the sheriff or commissioner shall provide a
written statement of the reasons for the restriction
or denial to the applicant by certified mail within
fifteen working days of the filing of the application.

2. The issuing officer shall collect a fee of ~~ten~~
thirty dollars, except from a duly appointed peace
officer or correctional officer, for each permit
issued. Renewal permits or duplicate permits shall be
issued for a fee of five dollars. The issuing officer
shall notify the commissioner of public safety of the
issuance of any permit at least monthly and forward to
the commissioner an amount equal to two dollars for
each permit issued and one dollar for each renewal or
duplicate permit issued. All such fees received by
the commissioner shall be paid to the treasurer of
state and deposited in the operating account of the

4 6 department of public safety to offset the cost of
4 7 administering this chapter. Any unspent balance as of
4 8 June 30 of each year shall revert to the general fund
4 9 as provided by section 8.33.
4 10 Sec. _____. NEW SECTION. 724.11A RECIPROCITY.
4 11 A person possessing a valid out-of-state permit to
4 12 carry a weapon shall be entitled to the privileges and
4 13 subject to the restrictions prescribed by this chapter
4 14 provided the state that issued the permit has training
4 15 requirements that are equal to or greater than the
4 16 training requirements prescribed by this chapter and
4 17 this state's law enforcement officers have continuous
4 18 access to databases on the criminal information
4 19 network to verify the continued validity of any permit
4 20 to carry a weapon that has been granted by the issuing
4 21 state.
4 22 Sec. _____. NEW SECTION. 724.13A IMMUNITY.
4 23 The sheriff or the commissioner of public safety
4 24 shall not be liable for damages in any civil action
4 25 arising from the alleged wrongful issuance, renewal,
4 26 or failure to revoke a permit to carry weapons
4 27 provided that the sheriff or the commissioner acted in
4 28 good faith and without malice in carrying out the
4 29 sheriff's or the commissioner's official duties.>
4 30 #2. By renumbering as necessary.
4 31
4 32
4 33
4 34 _____
4 34 BAUDLER of Adair
4 35 SF 413.734 82
4 36 rh/gg/7831